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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/751,243

01/02/2004

Vladimir Marin

COS-971

3854

25264 7590 08/12/2008  
FINA TECHNOLOGY INC  
PO BOX 674412  
HOUSTON, TX 77267-4412

EXAMINER

LU, C CAIXIA

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

08/12/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10751243	1/2/04	MARIN ET AL.	COS-971

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**EXAMINER**

Caixia Lu

ART UNIT	PAPER
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1796	20080727
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**Commissioner for Patents**

The following summary is to clarify the examiner's position regarding the claims under review:

- (i) Claims 1, 3, and 10-12 rejected under 35 U.S.C. 102(b) as being anticipated by Kaufmann et al. (US 5,770,752) and Schertl et al. (US 5,668,230) in dependently in the Final Office Action mailed August 30, 2006.
- (ii) Appellants' grounds of rejection to be reviewed in appeal are limited to the rejection of claim 10 over Kaufmann and claims 10 and 12 over Schertl in the Appeal Brief filed January 30, 2007. Appellants have not made any amendment to change the grounds of rejection to be reviewed. However, in the Supplemental Reply Brief filed November 27, 2007, Appellants indicate that the rejection of claims 10 and 12 over Kaufmann are included in the grounds of rejection to be reviewed.
- (iii) The rejection of claim 12 under 35 U.S.C. 102(b) over Schertl was withdrawn by the examiner in Supplemental Examiner's Answer mailed November 2, 2007.

Summerizing the foregoing, it is the examiner's position that the rejections of claims 1, 3, and 10-12 over Kaufmann and rejection of claims 1, 3, and 10-11 over Schertl which are represented to the board for review. In response to the Order Remending to Examiner of June 19, 2008, a Second Supplemental Examiner's Answer is provided in the attachment to replace the Examiner's Answers of 7/18/2008, April 30, 2007, and November 2, 2007 for the Board to review.

/David Wu/  
Supervisory Patent Examiner, Art Unit 1796

/Caixia Lu/  
Primary Examiner, Art Unit 1796